



Atty. Dkt. No. 053969-0129

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Takashi SAITO

Title: OPTICAL TRANSMISSION SYSTEM,
MONITORING METHOD THEREFOR,
OPTICAL COMMUNICATION
APPARATUS, AND OPTICAL
EXTERNAL CONDUCTING APPARATUS

Appl. No.: 09/938735

Appl. Filing Date: 08/27/2001

Examiner: Payne, David C.

Art Unit: 2633

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

☒ Please enter and consider the amendment and/or reply previously filed on
March 29, 2005.

06/14/2005 SSITHIB1 00000063 09938735

01 FC:1801 790.00 OP

06/14/2005 SSITHIB1 00000063 09938735

02 FC:1252 450.00 OP

☐ Please consider the Affidavit(s)/Declaration(s) previously filed on __ but not considered.

☐ Please consider the arguments in the Appeal Brief or Reply previously filed on __.

☐ Other __.

b. Enclosed are:

☐ Amendment/Reply.

☐ Affidavit(s)/Declaration(s).

☐ Information Disclosure Statement.

☐ Form PTO-1449 with copies of ____ listed reference(s).

☐ Other .

Miscellaneous:

☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of __ months.

The filing fee is calculated below:

| | Claims as Amended | Previously Paid For | Extra Claims Present | Rate | Fee Totals |
|--|-------------------|---------------------|----------------------|------------|------------|
| RCE Fee 1.17(e): | | | | \$790.00 | = \$790.00 |
| Total Claims: | 14 | - 20 | = 0 | x \$50.00 | = \$0.00 |
| Independents | 6 | - 6 | = 0 | x \$200.00 | = \$0.00 |
| First presentation of any Multiple Dependent Claims: | | | | + \$360.00 | = \$0.00 |
| CLAIMS FEE TOTAL: | | | | | = \$790.00 |

- ☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

| | | | | |
|-------------------------------------|---|------------|---|-----------|
| <input type="checkbox"/> | Extension for response filed within the first month: | \$120.00 | 0 | \$0.00 |
| <input checked="" type="checkbox"/> | Extension for response filed within the second month: | \$450.00 | | \$450.00 |
| <input type="checkbox"/> | Extension for response filed within the third month: | \$1,020.00 | | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the fourth month: | \$1,590.00 | | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the fifth month: | \$2,160.00 | | \$0.00 |
| EXTENSION FEE SUBTOTAL: | | | | \$450.00 |
| EXTENSION FEE ALREADY PAID: - | | | | \$0.00 |
| EXTENSION FEE TOTAL | | | | \$450.00 |
| CLAIMS AND EXTENSION FEE TOTAL: | | | | \$1240.00 |
| <input type="checkbox"/> | Small Entity Fees Apply (subtract ½ of above): | | | \$0.00 |
| <input type="checkbox"/> | Suspension of action requested under 37 C.F.R. § 1.103(c) | | | \$0.00 |
| TOTAL FEE: | | | | \$1240.00 |

☐ Please charge Deposit Account No. 19-0741 in the amount of \$1240.00. A duplicate copy of this transmittal is enclosed.

☒ A check in the amount of \$1240.00 to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date June 9, 2005

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5407
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By 

David A. Blumenthal
Attorney for Applicant
Registration No. 26,257



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 053969-0129

In re patent application of

Takashi SAITO

Group Art Unit: 2633

Appl. No. 09/928,735

Examiner: Payne, David C.

Filing Date: 08/27/2001

For: OPTICAL TRANSMISSION SYSTEM, MONITORING METHOD THEREFOR, OPTICAL COMMUNICATION APPARATUS, AND OPTICAL EXTERNAL CONDUCTING APPARATUS

CERTIFICATE OF MAILING BY EXPRESS MAIL

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Commissioner:

I hereby certify that the following paper(s) and/or fee along with any attachments referred to or identified as being attached or enclosed are being deposited with the United States Postal Service as Express Mail (Express Mail Label No. EV420551326US) under 37 C.F.R. § 1.10 on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.


1. Request for Continued Examination (RCE) Transmittal
2. Check No. 914007 (\$1240) for: Filing Fee (\$790) and Extension Fee (\$450)
3. Postcard

June 9, 2005

Date

Foley & Lardner LLP
Customer Number: 22428
Telephone: (202) 672-5407
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Respectfully submitted,


David A. Blumenthal
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